

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NAN HUI CHEN,

Plaintiff,

v.

DEUTSCHE BANK NATIONAL TRUST
COMPANY, ET AL.,

Defendant.

Case No.: 13-CV-3352 YGR

**ORDER REGARDING PLAINTIFF'S FAILURE TO
FILE AN OPPOSITION TO DEFENDANT'S
MOTION TO DISMISS AND CONTINUING
HEARING**

On December 23, 2013, Defendants Deutsche Bank National Trust, et al. filed a motion to dismiss this lawsuit. Dkt. No. 33. If the Court grants that motion and dismisses this lawsuit, the lawsuit will be over and the Plaintiff, Ms. Chen, will have lost.

Under this Court's Civil Local Rule 7-3(a), Ms. Chen was required to file either a brief opposing the motion to dismiss her lawsuit, or a notice that she does not oppose dismissal on January 6, 2013.¹ As of the date of this Order, Ms. Chen has not filed any response. As a result, the Court is considering dismissing her lawsuit for "failure to prosecute," that is, a failure to meet deadlines and keep the lawsuit moving forward.

The Court hereby extends Ms. Chen's time to file her papers. **Ms. Chen shall file an opposition to the Motion to Dismiss no later than Monday, January 27, 2014. Failure to file an opposition by that date will result in dismissal of this lawsuit for failure to prosecute.** Any reply to an opposition must be served and filed not more than 7 days after the opposition is served and filed. Civ. L.R. 7-3(c).

The Court further notes that Ms. Chen may seek assistance at the Court's Legal Help Center. The Legal Help Center may assist persons who do not have lawyers if they make an appointment.

¹ The Court's Civil Local Rules may be accessed for free at: <http://cand.uscourts.gov/localrules/civil>

1 The Legal Help Center's phone number is (415) 782-8982 and its website is
2 <http://cand.uscourts.gov/helpcentersf>.

3 The hearing on the motion to dismiss is continued to **March 4, at 2:00 p.m. in Courtroom 1**
4 **at the Federal Courthouse, 1301 Clay Street, Oakland, California.**

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6 **IT IS SO ORDERED.**

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8 Dated: January 15, 2014

9 
10 **YVONNE GONZALEZ ROGERS**
11 **UNITED STATES DISTRICT COURT JUDGE**

United States District Court

Northern District of California